

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Keizo Koya, Lijun Sun, Mitsunori Ono, David James, Weiwen Ying,  
Shoujun Chen

Continuation Application of:

Application No.: 10/233,371

Filed: August 29, 2002

Title: 2-Aroylimidazole Compounds for Treating Cancer

Date: 3-16-04

EXPRESS MAIL LABEL NO. EL 9556 4105145

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies cited references are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☒ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. 10/233,371, to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited references. Reference AL was cited by the Examiner in the prior application.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

[ X ] Applicant requests that the following pending application be considered:

Examiner's  
Initials

\_\_\_\_\_ U.S. Patent Application No. 10/233,371, by Keizo, *et al.*, filed August 29, 2002, Docket No.: 3211.1006-001

\_\_\_\_\_ U.S. Patent Application No. [    ], by [inventor(s)], filed [    ], Docket No.: [    ]

\_\_\_\_\_ U.S. Patent Application No. [    ], by [inventor(s)], filed [    ], Docket No.: [    ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

- [X] A copy of the above-cited application, published as US 2003/0096836 A1, reference AD, including the current claims as allowed, is enclosed.
- [ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [    ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

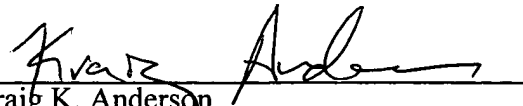
Method of payment:

- [ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [ ] Please charge Deposit Account 08-0380 in the amount of \$[    ]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

  
Kraig K. Anderson

Registration No.: 54,961

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: March 16, 2004

P 1449 REPRODUCED

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**
**March 16, 2004**

(Use several sheets if necessary)

 ATTORNEY DOCKET NO.  
3211.1006-009

 APPLICATION NO.  
Continuation of 10/233,371

 FIRST NAMED INVENTOR  
Keizo Koya

FILING DATE

EXAMINER

CONFIRMATION NO.

GROUP

**U.S. PATENT DOCUMENTS**

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	5,464,835	11-07-1995	McConnell, <i>et al.</i>
	AB	4,866,084	09-12-1989	Gunasekera, <i>et al.</i>
	AC	5,290,777	03-01-1994	McConnell, <i>et al.</i>
	AD	US 2003/0096836 A1	05-22-2003	Koya <i>et al.</i>
	AE			
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EXAMINER

DATE CONSIDERED

PTQ-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>March 16, 2004</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. <b>3211.1006-009</b>	APPLICATION NO. <b>Continuation of 10/233,371</b>	
	FIRST NAMED INVENTOR <b>Keizo Koya</b>		FILING DATE
	EXAMINER	CONFIRMATION NO.	GROUP

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AL	WO 00/071535	11-30-2000	SCIOS INC.		
	AM	WO 98/18466	05-07-1998	Harbor Branch Oceanographic Institution, Inc.		
	AN	WO 99/42092	08-26-1999	Harbor Branch Oceanographic Institution, Inc.		
	AO	WO 00/02857	01-20-2000	Harbor Branch Oceanographic Institution, Inc.		
	AP	0 272 810	06- -1988	Harbor Branch Oceanographic Institution, Inc.		
	AQ	0 272 810 A2	06-29-1988	Harbor Branch Oceanographic Institution, Inc.		
	AL2	0 272 810 A3	06-29-1988	Harbor Branch Oceanographic Institution, Inc.		
	AM2	WO 97/12862	04-10-1997	Scripps Research Inst.		
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	AO2					
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	AL3					
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	AQ3					
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PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>March 16, 2004</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3211.1006-009		APPLICATION NO. Continuation of 10/233,371	
	FIRST NAMED INVENTOR Keizo Koya		FILING DATE	
	EXAMINER	CONFIRMATION NO.	GROUP	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR	Achab, CA 125: 196083 (1996).
AS	Morris, CA 111: 4563, (1989).
AT	Naef, CA 98: 88578, (1982).
AU	Casapullo, A., <i>et al.</i> , "New Bisindole Alkaloids of the Topsentin and Hamacanthin Classes from the Mediterranean Marine Sponge <i>RhapHisia lacazei</i> ," <i>J. Nat. Prod.</i> , 63:447-451 (2000).
AV	Naef, R., "Polarographic Properties and Electrochemical Reducation of 1,2-Dimethyl-3-indolyl Heteroaryl Ketones," <i>Helvetica Chimica Acta</i> , 65(6):1734-1742 (1982) - Nr.170.
AW	Morris, S., <i>et al.</i> , "Nitrogenous metabolites from the deep water sponge <i>Hexadella</i> sp.," <i>Canadian Journal of Chemistry</i> 67(4):677-681 (1989).
AX	Achab, S., "A three-component approach to the marine bis-indole alkaloids: topsentin, deoxytopsentin and bromotopsentin," <i>Tetrahedron Letters</i> 37(31): 5503-5506 (1996).
AY	
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AV2	

EXAMINER	DATE CONSIDERED
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